



King County

**Department of
Community and Human Services**

Office of Public Defense

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Dear criminal justice stakeholder:

As you know, a proposed settlement is now pending approval in the *Dolan v. King County* class action lawsuit. The proposed settlement requires that the class members who are employed by the four public defense contract agencies on June 30, 2013, will be recognized as employees of King County on July 1, 2013 with full employee benefits. These benefits include public pension benefits, King County health insurance and other County benefits.

How King County accomplishes this recognition, and how it organizes the public defense function, are left up to the County and are not part of the proposed settlement.

The King County Executive has directed me to seek your input on a framework for organizing public defense services that can be proposed to the Metropolitan King County Council in February. For nearly 40 years, King County has consistently demonstrated its commitment to delivering effective public defense that focuses on client representation. The Executive has expressed a strong interest in maintaining or improving upon that commitment, and has directed that any proposal be designed around best practices that reflect three core values:

- Independence from political influence
- Support for a quality workforce and performance
- Getting the most value, efficiency, and accountability for the public.

In support of those values, the Executive has directed me to seek your input on a management framework that contains three key elements:

- Creation of a new Executive branch department for public defense, accountable to the County Executive, that can increase the voice and role of public defense within the criminal justice system.

- Creation of two divisions within the new department, staffed by attorneys and support staff, to prevent conflicts of interest in complex cases that may involve multiple defendants or multiple charges. Staff in the two divisions would be projected to handle about 90 percent of the caseload, with the remaining 10 percent continued to be handled by assigned counsel, as needed.
- Creation of a Public Defense Advisory Committee to provide additional assurance of independence for King County's public defense function, with membership on that committee to be determined.

Reports on public defense prepared for the County by leading criminal justice consultants over the past 12 years have consistently recommended management models that call for creation of a single case-management system, one integrated system for data and information technology, and uniform training and staff development.

The timeline for action in the immediate future is:

- Settlement transmittal – The Executive will transmit the proposed *Dolan* settlement to the County Council in early January 2013. If approved by the Council, the settlement will then be presented to Pierce County Superior Court Judge John R. Hickman. With the proposed settlement, the Executive will also transmit a motion seeking concurrence from the Council to proceed with development of the organization outlined above.
- Organizational model transmittal – The Executive will transmit a more detailed proposal for creating a new public defense organizational model to the Council in February. Specific measures for implementation would follow later in the year.

Over the next several weeks, I will convene work groups to hear from you on different pieces of this management framework. My commitment is to make sure your voices are heard, and to reach an outcome that ensures high-quality public defense services for the people of King County. That was the core value when King County first took on the responsibility for providing indigent defense services in 1970, and it remains so today.

I welcome your thoughts and ideas as we move forward. Thank you.

Sincerely,



Dave Chapman
Director